

Problematics of the Execution of Religious Court Decisions

Inna Fauziatal Ngazizah¹,
Abdurrohman Kasdi², Kudrat Abdilah³, Najichah⁴, Norhasnira
Ibrahim⁵

¹Fakultas Syariah, Universitas Islam Negeri Sunan Kudus, Indonesia,
E-mail: innafauzi@uinsuku.ac.id,

²Fakultas Syariah, Universitas Islam Negeri Sunan Kudus, Indonesia,
E-mail: abdurrohmankasdi@uinsuku.ac.id

³Fakultas Hukum, Universitas Gadjah Mada, Indonesia,
E-mail: kudratabdillah@mail.ugm.ac.id

⁴Fakultas Syariah dan Hukum, Universitas Islam Negeri Walisongo, Indonesia,
E-mail: najichah@walisongo.ac.id

⁵Universiti Sains Islam Malaysia, Malaysia.
E-mail: norhasnira@usim.edu.my

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Abstract

This article examines the problem of authority in the execution of Religious Court decisions in Indonesia and its impact on the effectiveness of Islamic law. Although Religious Courts are authorized to adjudicate family and sharia economic cases, enforcement still relies on District Courts, creating dissonance between legal norms and practice. Using a juridical-sociological qualitative approach with literature studies and interviews with two judges, one clerk, and two execution applicants, the study identifies three root problems: the absence of direct execution authority, weak cross-agency coordination, and the lack of standard operational procedures. These weaknesses disproportionately affect women and children, leaving many rulings unenforced.

The article recommends regulatory reform and institutional strengthening of Religious Courts, drawing comparative insights from Malaysia and Pakistan, where religious courts have clearer enforcement mechanisms.

A. Introduction

Religious Courts in Indonesia occupy a strategic role in enforcing Islamic law, particularly in family, inheritance, and sharia economic matters.¹ Yet the effectiveness of their decisions is frequently constrained at the execution stage. Amid efforts to integrate Islamic legal values into the national legal system, unresolved issues of authority between the judiciary and executing institutions, such as the District Court and the police, remain a fundamental obstacle. This weakness directly affects justice-seeking communities who rely on Religious Court rulings as final and binding instruments.²

Law No. 3 of 2006 in conjunction with Law No. 50 of 2009, which amends Law No. 7 of 1989 on Religious Courts, expanded the jurisdiction of Religious Courts to include sharia economic cases and common property disputes.³ However, the courts lack their own executive unit and must depend on the District Court to enforce their decisions.⁴ This dependency often produces juridical and sociological conflicts because the District Court belongs to the general judiciary with a different legal orientation.⁵ The lack of institutional synchronization hinders the realization of substantive justice.

From a social perspective, weak execution mechanisms undermine public trust in the judiciary, particularly the Religious Courts.⁶ Communities

¹ Hasyim Sofyan Lahilote et al., "Judge'S Dilemma in Marriage Dispensation in the Religious Court," *Al-Risalah: Forum for Legal and Social Studies* 22, no. 1 (2022): 52–60, <https://doi.org/10.30631/alrisalah.v22i1.979>.

² Monica K. Miller Bornstein, Brian H., "Does a Judge's Religion Influence Decision Making?," *Ct.Rev.*, 2024.

³ Amran Suadi, "Judicial Authority and the Role of the Religious Courts in the Settlement of Sharia Economic Disputes," *Lex Publica* 7, no. 2 (2020): 1–14, <https://doi.org/10.58829/lp.7.2.2020.1-14>.

⁴ Sujayadi Sujayadi, Tata Wijayanta, and Herliana Herliana, "Regulating Court Jurisdiction to Protect Weaker Parties: An Overview of the Indonesian Civil Justice System," *Yuridika* 38, no. 2 (2023): 305–32, <https://doi.org/10.20473/ydk.v38i2.43835>.

⁵ Muhamad Fakhruddin, Muhammad Nasir, and Nandang Akhmad Kosasih, "Understanding the Complexity of Executions in Religious Courts : Between Legal Mandates and Field Realities," *International Journal of As Suadi: Law and Sharia Review* 1, no. 1 (2024): 67–88, <https://doi.org/https://doi.org/10.70691/assuadi.v1i1.5>.

⁶ Syariful Alam et al., "E-Court Effectiveness of Religious Courts in Indonesia," *Juris: Jurnal Scientific Syariah* 590, no. 2 (2021): 92–97, <https://doi.org/https://doi.org/10.2991/assehr.k.211102.174>.

frequently perceive that legal victories in these courts do not translate into real justice because verdicts cannot be implemented.⁷ Such conditions may foster apathy, legal frustration, and potential social conflict, especially in inheritance and post-divorce property disputes that heighten family tensions. The problem also illustrates unequal access to justice for vulnerable groups, especially women and children, who are often disadvantaged by incomplete executions.

This study applies a juridical-sociological qualitative method with a sociological-normative approach, using document analysis of laws and regulations as well as interviews with judges, clerks, and execution applicants in several Religious and District Courts. Data were analyzed descriptively and critically to reveal tensions between legal norms and social practices, with validity ensured through triangulation and member checking.

Earlier studies, such as those by Nasution (2021)⁸, Nurlaelawati (2016), Amran (2024)⁹, Putri (2022), and Darmawan (2023), highlight weaknesses of Religious Courts in protecting women and children¹⁰, post-divorce rights, and the legal force of certain cases.¹¹ However, most remain partial and do not examine execution authority as a structural issue affecting the integration of Islamic law into the national legal system. This research addresses that gap.

The novelty of this article lies in framing execution authority as a crisis point in the transformation of Islamic law in Indonesia.¹² It combines normative and institutional analysis to propose structural solutions beyond administrative concerns, contributing both conceptually and practically to judicial reform. Strengthening execution authority through an integrated and independent system is crucial not only for the effective implementation of Islamic law but also for reinforcing the legitimacy of Religious Courts as guarantors of justice within the Pancasila legal framework.

⁷ Elisabeth Sundari and Anny Retnowati, "The Weakness of The Control for Fighting Corruption in The Judicial Process: The Case of Indonesia," *International Journal of Social Policy and Law (IJOSPL)* 02, no. 01 (2021): 93–102, <https://doi.org/https://doi.org/10.8888/ijospl.v2i1.35>.

⁸ Khoiruddin Nasution and Syamruddin Nasution, "Implementation of Indonesian Islamic Family Law To Guarantee Children'S Rights," *Al-Jami'ah* 59, no. 2 (2021): 347–74, <https://doi.org/10.14421/ajis.2021.592.347-374>.

⁹ Euis Nurlaelawati, "The Legal Fate of Indonesian Muslim Women in Court Divorce and Child Custody," in *Religion, Law and Intolerance in Indonesia* (London: Routledge, 2016), 353–68.

¹⁰ Amran Suadi et al., "Legal Protection of Women's and Children's Rights after Divorce through the E-MOSI CAPER App," *Jurnal Hukum Novelty* 15, no. 1 (2024): 35–52, <https://doi.org/10.26555/novelty.v15i1.a27347>.

¹¹ Putri Widi Astuti and Tri Prastio, "Post-Divorce Rights of Women and Children," *MILRev : Metro Islamic Law Review* 1, no. 2 (2022): 203, <https://doi.org/10.32332/milrev.v1i2.6209>.

¹² Darmawan Darmawan et al., "Relative Competence of the Sharia Court: Talaq Divorce Lawsuit and Protection of Women's Rights," *Samarah* 7, no. 1 (2023): 84–100, <https://doi.org/10.22373/sjhk.v7i1.16053>.

B. Discussion

1. Absence of Authority of Special Execution Institutions in Religious Courts

Interviews with judges of the Lampung Kotabumi Religious Court reveal that the core problem in implementing verdicts lies in the absence of direct execution authority.¹³ Although Religious Court decisions have permanent legal force (*inkracht*)¹⁴, their execution must still be requested through the District Court.¹⁵ This creates jurisdictional and institutional overlap, as Religious and District Courts operate under different chambers of the Supreme Court.

Such dependence undermines the authority of the Religious Courts in delivering substantive justice¹⁶. Applicants frequently complain about delays, with clerks reporting cases where parties returned after a year to find that execution had not been carried out despite repeated submissions to the District Court.¹⁷ This condition fosters the perception that the Religious Court lacks coercive power and functions only symbolically.

As emphasized by Rifyal Ka'bah, institutional weaknesses of this kind demand serious attention in the reform of Islamic law,¹⁸ since law without effective implementation becomes mere rhetoric. Although legislation grants Religious Courts jurisdiction over family and inheritance disputes, the lack of clarity regarding execution authority remains a major obstacle to realizing substantive justice.¹⁹ The normative-empirical findings of this study confirm that while Religious Courts hold decision-making power, the execution of their rulings cannot be fully enforced.

¹³ Mrs. S, "Personal Interview" ((religious court executions) on March 15, 2025).

¹⁴ Amran Suadi, "The Role of Religious Court in Islamic Law Reform in Indonesia," *Asy-Syari'ah* 21, no. 2 (2020): 125–34, <https://doi.org/10.15575/as.v21i2.5821>.

¹⁵ Muhammad Azani Azani and Cysillia Anggaraini Novalis Cysillia, "IMPLEMENTATION OF RELIGIOUS COURT DECISIONS REGARDING THE FULFILLMENT OF POST-DIVORCE CHILD SUPPORT RIGHTS AT THE PEKANBARU RELIGIOUS COURT," *Jotika Research in Business Law*, 2022, <https://doi.org/10.56445/jrbl.v1i2.43>.

¹⁶ Suadi, "Judicial Authority and the Role of the Religious Courts in the Settlement of Sharia Economic Disputes."

¹⁷ Mr. B, "Personal Interview" ((Administration Prosedural) on March 14, 2025).

¹⁸ Desi Asmaret, Alaidin Koto, and Afrizal, "TRANSFORMATION OF ISLAMIC FAMILY LAW IN INDONESIA A Study of Rifyal Kaaba Thought," *Al-Ahwal* 12, no. 2 (2019): 145–60, <https://doi.org/10.14421/ahwal.2019.12203>.

¹⁹ Ferinda K Fachri, "Amran Suadi Initiates Interconnection System, Solutions for the Implementation of Divorce Decisions," *Online Law*, 2022.

A normative analysis of laws and regulations shows that the Guidelines for the Implementation of the Duties and Functions of the Religious Court do not explicitly regulate direct execution authority.²⁰ As a result, parties who win cases in the Religious Court must submit a new lawsuit to the District Court, creating authority conflicts and legal uncertainty. This contributes to delays in execution and produces injustice for the aggrieved party.

Interviews with execution applicants confirm that this lack of clarity obstructs access to justice. One applicant stated, “*I won my divorce and maintenance case, but my ex-husband has not fulfilled his obligations, and I must file a new lawsuit in the District Court.*”²¹ Such cases illustrate that although the law normatively guarantees rights, these rights are often unenforceable in practice. This uncertainty disproportionately affects vulnerable groups, particularly women seeking alimony or inheritance rights.²²

From a sociological perspective, these findings reveal a gap between legal norms and their implementation²³. While Religious Courts are mandated to resolve family and inheritance disputes in accordance with Islamic law, their lack of execution authority undermines both community access to justice and the institutional credibility of the courts themselves.

2. Cross-Agency Disconnection: A Coordinated Obstacle to Execution

Beyond structural weaknesses, execution problems also stem from poor cross-agency coordination. Interviews with legal academics indicate that execution of Religious Court judgments is often not prioritized due to the absence of clear technical procedures and the perception that such cases fall outside the authority of other institutions.²⁴ The lack of standardized operating procedures between judicial bodies and law enforcement officials creates ambiguity in implementation.

²⁰ Meivanza Dwi Aurellia and Abdul Halim, "The Urgency of the Establishment of Executing Institutions for the Fulfillment of the Rights of Women and Children After Divorce," *JURNAL USM LAW REVIEW*, 2023, <https://doi.org/10.26623/julr.v6i2.7270>.

²¹ Mrs. Yk, "Personal Interview" (execution request) On Desember 17, 2024).

²² Aurellia and Halim, "The Urgency of the Establishment of Executing Institutions for the Fulfillment of Women's and Children's Rights After Divorce."

²³ Pery Rehendra Sucipta Dheni Setiawan, Marnia Rani, "Legal Certainty on the Execution of Court Decisions on Child Support Rights (Study at the Tanjungpinang Religious Court," *Student Online Journal (SOJ)* 1, no. 2 (2020): 659–71, <http://repositori.umrah.ac.id/id/eprint/1638>.

²⁴ Mrs. SN, *Personal Interview* ((the Power of Execution) On February 21st., 2025).

Arbani's research similarly noted that weak institutional synergy is a key obstacle to the effectiveness of Indonesia's pluralistic justice system²⁵. Hence, a regulatory framework is needed that is not only normative but also procedural and operational, ensuring that Religious Court decisions can be enforced consistently. Using a normative-empirical approach, this study examines both regulations and field practices through interviews with judges, clerks, and execution applicants, as well as document analysis. The findings show that gaps in execution are shaped more by structural and coordination issues than by the incompleteness of legal rules alone.

Judges interviewed acknowledged that while laws grant the Religious Court authority to decide cases, they provide no clear provisions compelling compliance by the respondent. Document analysis further shows that existing regulations emphasize procedural formality over mechanisms for swift enforcement.²⁶ For instance, Article 195 of the *Herzien Inlandsch Reglement* (HIR), which still governs execution procedures, requires the winning party to apply to the District Court for execution. At the same time, the Religious Court lacks coercive authority over the losing party, resulting in prolonged delays and weakened justice delivery.

Countries with legal pluralism such as Malaysia and Pakistan provide clearer enforcement of religious court decisions. In Malaysia, Syariah Courts have limited but direct powers, including issuing warrants of arrest or attachment in maintenance and matrimonial cases, reducing delays and strengthening compliance.²⁷ Pakistan's Family Courts, under the West Pakistan Family Courts Act 1964, are authorized to both adjudicate and enforce decrees on maintenance, custody, and divorce.²⁸ By integrating adjudication and enforcement, these systems minimize fragmentation and improve effectiveness.²⁹ Compared to these models, Indonesia's lack of direct execution authority remains a major barrier to substantive justice.

²⁵ Tri Suhendra. Arbani, "The Enforcement Power of Religious Court Decisions on the Father's Obligation to Provide for Children After Divorce," *Al-Qadau Journal* 7, no. 2 (2020): 30–38, <https://doi.org/https://doi.org/10.24252/al-qadau.v7i2.16515>.

²⁶ S, "Personal Interview."

²⁷ Hanna Ambaras Khan et al., "The Challenges in Enforcing Post Divorce Orders of Native Courts in East Malaysia," *IJUM Law Journal* 29, no. S1 (2021): 17–35, <https://doi.org/10.31436/iiumlj.v29iS1.633>.

²⁸ Nur Sarah Tajul Urus et al., "Hisbah (Ombudsmen) Is A Mechanism for Resolving Enforcement Issues in Malaysia: Changes and Difficulties," *International Journal of Academic Research in Business and Social Sciences* 12, no. 1 (2022): 1933–41, <https://doi.org/10.6007/ijarbs/v12-i1/12256>.

²⁹ Shylashri Shankar. Benjamin Schonthal, Tamir Moustafa, Matthew J Nelson, "Is the Rule of Law an Antidote for Religious Tension? The Promise and Peril of Judicializing Religious Freedom," *American Behavioral Scientist* 60, no. 8 (2016): 966–986., <https://doi.org/https://doi.org/10.1177/0002764215613380>.

Weak institutional coordination also perpetuates inequality in rights protection. Applicants often find that favorable verdicts bring no practical outcome.³⁰ One female divorce litigant stated, “*I won in the Religious Court, but my ex-husband still does not fulfill his obligations, and no institution upholds my rights.*” This inability to enforce judgments delays justice and disproportionately harms women and other vulnerable groups.³¹

3. Social Impacts and Inequality in Legal Protection

Weak execution mechanisms directly affect social justice and the protection of vulnerable groups, particularly women and children.³² Interviews with widows and housewives seeking post-divorce alimony or joint property revealed frustration that court victories brought no tangible results. One applicant stated, “We only won on paper, because my ex-husband never handed over alimony according to the verdict, and no one forced him.”³³ The absence of monitoring and enforcement mechanisms allows respondents to ignore rulings, leaving Islamic law, which is intended as a guarantor of substantive justice, ineffective in practice.³⁴

As Khisni notes, the transformation of Islamic law requires not only normative reform but also institutional strengthening and execution mechanisms that deliver real justice.³⁵ Although Islamic law is accommodated within the national judiciary, implementation is often obstructed by weak institutional support, particularly in enforcement. Judges interviewed acknowledged that while Religious Courts have authority to decide family cases, execution still depends on District Courts or the police.³⁶ This indicates that institutional shortcomings, rather than

³⁰ Mr. S, “Personal Interview” (Information of Religious Court, 2025).

³¹ Fadil, Zidna Mazidah, and Zaenul Mahmudi, “Fulfillment of Women’s Rights After Divorce: Dynamics and Transformation in the Legal Journey,” *De Jure: Jurnal Hukum Dan Syar’iah* 16, no. 1 (2024): 1–20, <https://doi.org/10.18860/j-fsh.v16i1.25713>.

³² Suadi et al., “Legal Protection of Women’s and Children’s Rights after Divorce through the E-MOSI CAPER App.”

³³ Mrs. Yk, “Personal Interview.”

³⁴ Syaiful Anwar Al-Mansyuri Ahmad Rusyaid Idris, Muhammad Khusaini, “Contemporary Islamic Law in Indonesia: The Fulfillment of Child Custody Rights in Divorce Cases Caused by Early Marriage,” *MILRev: Metro Islamic Law Review* 3, no. 1 (2024): 1–21, <https://doi.org/https://doi.org/10.32332/milrev.v3i1.8907>.

³⁵ Akhmad Khisni and I Gusti Ayu Ketut Rachmi Handayani, “The Transformation of Islamic Law Into the National Legislation,” *Talent Development & Excellence* 12, no. 2 (2020): 1275–81, <http://search.ebscohost.com/login.aspx?direct=true&db=s3h&AN=143587803&lang=ja&site=ehost-live>.

³⁶ Rizqa Ahm Wildani Hefni, Imam Mustofa, “Looking for Moderate Fiqh: The Thought of Mohammad Hashim Kamali on the Reformation of Rigidity and Inflexibility in Islamic Law,” *Al Istinbath: Jurnal Hukum Islam* 10, no. 1 (2025): 30–57, <https://doi.org/10.29240/jhi.v10i1.10694>.

gaps in substantive law, are the main barrier to the effective application of Islamic law in Indonesia.

Interviews with judges show that although laws and regulations grant the Religious Court authority to adjudicate family cases, execution remains problematic.³⁷ Judges emphasized that despite having the authority to issue verdicts, their implementation still relies on the District Court or the police. These findings indicate that institutional weaknesses, rather than gaps in substantive law, constitute the main obstacle to the effective application of Islamic law in practice.

C. CONCLUSION

The implementation of Religious Court decisions reflects not only technical or administrative shortcomings but also a deeper structural weakness in the national legal system. This problem arises from two interrelated factors: the limited authority of Religious Courts, which lack independent enforcement power to ensure compliance with rulings such as child support or divorce-related obligations, and the absence of a supervisory institution to monitor execution and guarantee fulfillment of rights and obligations.

As a result, many decisions remain legal documents without practical effect, as follow-up mechanisms are fragmented across institutions. This undermines substantive justice, particularly for women and children. Weak coordination, the absence of standardized procedures, and the lack of monitoring mechanisms exacerbate the problem. Although the transformation of Islamic law in Indonesia has advanced normatively, it has not been matched by institutional strengthening. Unless issues of authority and supervision are resolved, Religious Court decisions will continue to face implementation gaps, eroding both public trust and access to justice.

³⁷ S, "Personal Interview."

Reference

- Ahmad Rusyaid Idris, Muhammad Khusaini, Syaiful Anwar Al-Mansyuri. "Contemporary Islamic Law in Indonesia: The Fulfillment of Child Custody Rights in Divorce Cases Caused by Early Marriage." *MILRev: Metro Islamic Law Review* 3, no. 1 (2024): 1–21. <https://doi.org/https://doi.org/10.32332/milrev.v3i1.8907>.
- Alam, Syariful, Happy David Pradhan, Syariful Alam, Nu'man Aunuh, Muhammad Luthfi, Yaris Adhial Fajrin, Sholahuddin Al-Fatih, and Merve Ozkan Borsa. "E-Court Effectiveness of Religious Courts in Indonesia." *Juris: Jurnal Ilmiah Syariah* 590, no. 2 (2021): 92–97. <https://doi.org/https://doi.org/10.2991/assehr.k.211102.174>.
- Arbani, Tri Suhendra. "Kekuatan Eksekusi Putusan Peradilan Agama Terhadap Kewajiban Ayah Menafkahi Anak Pasca Perceraian." *Jurnal Al-Qadau* 7, no. 2 (2020): 30–38. <https://doi.org/https://doi.org/10.24252/al-qadau.v7i2.16515>.
- Asmaret, Desi, Alaidin Koto, and Afrizal. "TRANSFORMASI HUKUM KELUARGA ISLAM DI INDONESIA Telaah Pemikiran Rifyal Ka'bah." *Al-Ahwal* 12, no. 2 (2019): 145–60. <https://doi.org/10.14421/ahwal.2019.12203>.
- Astuti, Putri Widi, and Tri Prastio. "Post-Divorce Rights of Women and Children." *MILRev: Metro Islamic Law Review* 1, no. 2 (2022): 203. <https://doi.org/10.32332/milrev.v1i2.6209>.
- Aurellia, Meivanza Dwi, and Abdul Halim. "Urgensi Pembentukan Lembaga Eksekutor Terhadap Pemenuhan Hak Perempuan Dan Anak Pasca Perceraian." *JURNAL USM LAW REVIEW*, 2023. <https://doi.org/10.26623/julr.v6i2.7270>.
- Azani, Muhammad Azani, and Cysillia Anggaraini Novalis Cysillia. "PELAKSANAAN PUTUSAN PENGADILAN AGAMA MENGENAI PEMENUHAN HAK NAFKAH ANAK PASCA

- PERCERAIAN DI PENGADILAN AGAMA PEKANBARU.” *Jotika Research in Business Law*, 2022. <https://doi.org/10.56445/jrbl.v1i2.43>.
- B, Mr. “Personal Interview.” 2025.
- Benjamin Schonthal, Tamir Moustafa, Matthew J Nelson, Shylashri Shankar. “Is the Rule of Law an Antidote for Religious Tension? The Promise and Peril of Judicializing Religious Freedom.” *American Behavioral Scientist* 60, no. 8 (2016): 966-986. <https://doi.org/https://doi.org/10.1177/0002764215613380>.
- Binti Zulfahrizal, Farah Nabilah, and Sudirman Suparmin. “Konflik Perundangan Hak Hadhanah Bagi Ibu Non-Muslim Di Malaysia.” *Journal of Education, Humaniora and Social Sciences (JEHSS)* 6, no. 1 (2023): 418–26. <https://doi.org/10.34007/jehss.v6i1.1863>.
- Bornstein, Brian H., Monica K. Miller. “Does a Judge’s Religion Influence Decision Making?” *Ct.Rev.*, 2024.
- Darmawan, Darmawan, Suhaimi Suhaimi, Muhammad Natsir, T. Rasyidin, and Mustakim Mustakim. “Relative Competence of the Sharia Court: Talaq Divorce Lawsuit and Protection of Women’s Rights.” *Samarah* 7, no. 1 (2023): 84–100. <https://doi.org/10.22373/sjhc.v7i1.16053>.
- Dheni Setiawan, Marnia Rani, Pery Rehendra Sucipta. “Kepastian Hukum Terhadap Eksekusi Putusan Pengadilan Tentang Hak Nafkah Anak (Studi Di Pengadilan Agama Tanjungpinang.” *Student Online Journal (SOJ)* 1, no. 2 (2020): 659–71. <http://repositori.umrah.ac.id/id/eprint/1638>.
- Fachri, Ferinda K. “Amran Suadi Gagas Sistem Interkoneksi, Solusi Pelaksanaan Putusan Perceraian.” *Hukum Online*, 2022.
- Fadil, Zidna Mazidah, and Zaenul Mahmudi. “Fulfillment of Women’s Rights After Divorce: Dynamics and Transformation in the Legal Journey.” *De Jure: Jurnal Hukum Dan Syar’iah* 16, no. 1 (2024): 1–20.

- <https://doi.org/10.18860/j-fsh.v16i1.25713>.
- Fakhrudin, Muhamad, Muhammad Nasir, and Nandang Akhmad Kosasih. "Understanding the Complexity of Executions in Religious Courts : Between Legal Mandates and Field Realities." *International Journal of As Suadi: Law and Sharia Review* 1, no. 1 (2024): 67–88. <https://doi.org/https://doi.org/10.70691/assuadi.v1i1.5>.
- Khan, Hanna Ambaras, Nora Abdul Hak, Najibah Mohd Zin, and Roslina Che Soh. "The Challenges in Enforcing Post Divorce Orders of Native Courts in East Malaysia." *IJUM Law Journal* 29, no. S1 (2021): 17–35. <https://doi.org/10.31436/iiumlj.v29iS1.633>.
- Khisni, Akhmad, and I Gusti Ayu Ketut Rachmi Handayani. "The Transformation of Islamic Law Into the National Legislation." *Talent Development & Excellence* 12, no. 2 (2020): 1275–81. <http://search.ebscohost.com/login.aspx?direct=true&db=s3h&AN=143587803&lang=ja&site=ehost-live>.
- Lahilote, Hasyim Sofyan, A. A. Miftah, Yuliatin, and Rahmi Hidayati. "Judge'S Dilemma in Marriage Dispensation in the Religious Court." *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 22, no. 1 (2022): 52–60. <https://doi.org/10.30631/alrisalah.v22i1.979>.
- Mr. S. "Personal Interview." 2025.
- Mrs.SN. *Personal Interview*. (the Power of Execution) On February 21st., 2025.
- Mrs.Yk. "Personal Interview." 2024.
- Nasution, Khoiruddin, and Syamruddin Nasution. "Implementation of Indonesian Islamic Family Law To Guarantee Children'S Rights." *Al-Jami'ah* 59, no. 2 (2021): 347–74. <https://doi.org/10.14421/ajis.2021.592.347-374>.
- Nurlaelawati, Euis. "The Legal Fate of Indonesian Muslim Women in Court Divorce and Child Custody." In *Religion, Law and Intolerance in*

- Indonesia*, 353–68. London: Routledge, 2016.
- S, Mrs. “Personal Interview.” 2025.
- Suadi, Amran. “Judicial Authority and the Role of the Religious Courts in the Settlement of Sharia Economic Disputes.” *Lex Publica* 7, no. 2 (2020): 1–14. <https://doi.org/10.58829/lp.7.2.2020.1-14>.
- . “The Role of Religious Court in Islamic Law Reform in Indonesia.” *Asy-Syari’ah* 21, no. 2 (2020): 125–34. <https://doi.org/10.15575/as.v21i2.5821>.
- Suadi, Amran, Mardi Candra, Fahadil Amin Al Hasan, and Gugun Gumilar. “Legal Protection of Women’s and Children’s Rights after Divorce through the E-MOSI CAPER App.” *Jurnal Hukum Novelty* 15, no. 1 (2024): 35–52. <https://doi.org/10.26555/novelty.v15i1.a27347>.
- Sujayadi, Sujayadi, Tata Wijayanta, and Herliana Herliana. “Regulating Court Jurisdiction to Protect Weaker Parties: An Overview of the Indonesian Civil Justice System.” *Yuridika* 38, no. 2 (2023): 305–32. <https://doi.org/10.20473/ydk.v38i2.43835>.
- Sundari, Elisabeth, and Anny Retnowati. “The Weakness of The Control for Fighting Corruption in The Judicial Process: The Case of Indonesia.” *International Journal of Social Policy and Law (IJOSPL)* 02, no. 01 (2021): 93–102. <https://doi.org/https://doi.org/10.8888/ijospl.v2i1.35>.
- Urus, Nur Sarah Tajul, Md. Amin Abdul Rahman Al-Jarumi, Mohd Syahmil Samsudin, and Mus’ab Yusoff. “Hisbah (Ombudsmen) Is A Mechanism for Resolving Enforcement Issues in Malaysia: Changes and Difficulties.” *International Journal of Academic Research in Business and Social Sciences* 12, no. 1 (2022): 1933–41. <https://doi.org/10.6007/ijarbss/v12-i1/12256>.
- Wildani Hefni, Imam Mustofa, Rizqa Ahm. “Looking for Moderate Fiqh: The Thought of Mohammad Hashim Kamali on the Reformation of Rigidity

and Inflexibility in Islamic Law.” *Al Istimbath: Jurnal Hukum Islam* 10,
no. 1 (2025): 30–57. <https://doi.org/10.29240/jhi.v10i1.10694>.

